

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 25 2011 ★

BROOKLYN OFFICE

-----X
DARIUSZ NOWICKI on behalf of himself and on behalf of
all others similarly situated

Plaintiff,

Docket No.:10-cv-4877
(CBA)(JO)

-against-

TOLL BROTHERS, INC., K.S. CONSTRUCTION CO.,
and KAZIMIERZ SZWADER

Defendants.
-----X

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE AS
AGAINST TOLL BROTHERS, INC.**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Dariusz Nowicki ("Plaintiff") and Defendant Toll Brothers, Inc. (collectively, "Toll Bros.") and their respective attorneys that Plaintiff's claims against Toll Bros. are discontinued with prejudice without any admission or finding of liability against Toll Bros. without costs or fees to either party.

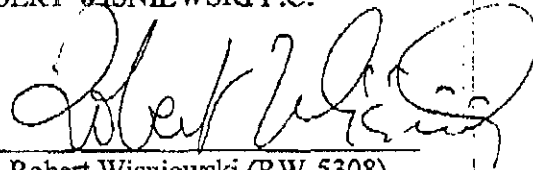
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This stipulation and order of dismissal has no effect on Plaintiff's claims against
Defendants K.S. Construction Co. or Kazimierz Swader.

Dated: New York, NY
January 25, 2011

ROBERT WISNIEWSKI P.C.

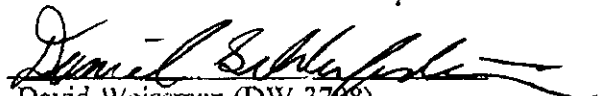
By:



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Counsel for Toll Brothers, Inc.

SO ORDERED

s/CBA

Hon. Carol B. Amon, USDJ

2/3/11